

Amendment 119

Contract No. 229944

To the Contract for the Design, Implementation, Operation and Maintenance of the Regional Fare Coordination System

This Amendment 119 to the Contract for the Design, Implementation, Operation and Maintenance of the Regional Fare Coordination System is entered into this 6TH day of DECEMBER, 2011, by and between ERG Transit Systems (USA) Inc, a California corporation and wholly owned subsidiary of Vix-ERG Limited, an Australian corporation, (hereinafter referred to as the "Contractor") and each of the following seven public transportation agencies (hereinafter referred to individually as an "Agency" or collectively as the "Agencies"):

1. Central Puget Sound Regional Transit Authority ("Sound Transit")
2. King County ("King County")
3. Kitsap County Public Transportation Benefit Area ("Kitsap Transit")
4. Pierce County Public Transportation Benefit Area ("Pierce Transit")
5. Snohomish County Public Transportation Benefit Area ("Community Transit")
6. City of Everett ("Everett")
7. State of Washington, acting through the Washington State Department of Transportation, Washington State Ferries Division ("WSF")

Recitals

- A. Effective April 29, 2003, each of the Agencies and the Contractor entered into Contract #229944 ("Contract") to implement a Regional Fare Coordination System ("RFC System") to establish a common fare system utilizing smart card technology. The Contractor is responsible for the development, implementation, operation and maintenance of the RFC System as specified in the Contract.
- B. The Agencies and the Contractor desire to amend Section VI of Exhibit 9, Price Schedule Special Programs, to compensate the Contractor for the work necessary to support Kitsap Transit's (KT) initiative to allow the Port of Kingston (POK) limited use of the ORCA fare collection system for the POK's Seattle passenger-only ferry service, known as "Sound Runner". This work is more fully described in SEA-07303 *PA-ROF Port of Kingston Revision 2.0, July 27, 2011* (RFCS RFI 621 and Amendment 131).

- C. The Parties agree that the Work necessary to support the business requirements of the POK's Sound Runner fare collection will be performed and compensated as described below.

Agreement

Section 1.0 Description of Work

1.1 The Contractor will perform the work necessary to allow the use of two (2) new multi-ride products. The business rules for these products are as follows:

- (a) Provide for a 20 ride book with current face value of \$7.00
- (b) Provide for a 40 ride book with a current face value of \$7.00
- (c) Prohibit use of any reduced fares. The POK ferry service is peak only
- (d) Allow Personal Care Attendants (PCA) to ride free.
- (e) Accept the electronic purse as a valid fare payment product
- (f) Prohibit acceptance of any other KT or Regional Pass
- (g) Allow bicycles to ride free. The cyclist pays the appropriate fare.
- (h) Allow transfers to KT buses using electronic purse payment
 - i. Boat to Bus transfers should be a free ride (transfer credit will exceed the bus fare)
 - ii. Bus to Boat transfers should be a transfer credit
- (i) Prohibit transfers between other regional service providers and the POK
- (j) All fare changes will be directed by KT

1.2 The Contractor will perform the work necessary to sell the multi-ride product(s) at all sales outlets and revalue locations, i.e. Customer Service Terminals, Ticket Revalue Units, Ticket Vending Machines, Call Center Website, Cardholder Website, and the Business Account Website as part of the Business Choice Program.

1.3 The Contractor will perform the work necessary to report the POK routes as KT routes with the Port of Kingston as the transit operator.

1.4. The Contractor will perform the work necessary to allow the use of the multi-ride product(s) as part of the Business Choice Program.

1.5 The Contractor will perform the work necessary to allow the Portable Fare Transaction Processor device to be used by the POK.

(a) POK will be the transit operator

(b) the PFTP's will connect to access points at the Port of Kingston and the Bremerton Ferry Terminal

1.6 The Contractor will perform the work necessary to allow the POK revenue to settle directly to KT. There is no POK participation in apportionment processing.

1.7 The Contractor will perform the work necessary to ensure point to point Ethernet connections at both ends.

1.8 The Contractor will perform the work necessary to differentiate POK boardings from KT boardings for reporting purposes.

(a) the system shall allow for the recording of POK non ORCA passengers and counters as is now done for KT

(b) for purposes of the Device Connections Report, the POK PFTP's will show connection at the Bremerton Harborside point

(c) the system will report transfers and transfer credits

(d) the system will report settlement value and ridership

1.9 The Contractor will update and submit to Kitsap Transit the following documentation:

(a) SEA-00538 Product Business Rules

(b) SEA-02684 Fixed WDOL Installation Procedure – Kitsap Transit

NOW, THEREFORE, in consideration of the mutual covenants contained herein, the sufficiency of which is hereby acknowledged, the Parties hereby agree to amend the Contract as follows:

Section 2.0 Schedule

2.1 The Contractor will implement this work in Maintenance Release 16

Section 3.0 Compensation Changes

Section VI (Implementation) of Exhibit 9, Price Schedule, is hereby amended to read as follows:

VI. IMPLEMENTATION

SPECIAL PROGRAMS

LUMP SUM COST

Amendment No. 119

To perform the work necessary to allow the POK limited use of the ORCA system under the sponsorship of Kitsap Transit	
TOTAL	\$63,324

Section 4.0 Other Terms and Conditions

All other provisions of the Contract not referenced in this Amendment One Hundred and Nineteen shall remain in effect.

IN WITNESS WHEREOF, authorized representative of the Agencies and the Contractor have signed their names in the spaces provided below.

IN WITNESS WHEREOF, the parties hereto have executed this Change Order No. TBD to Contract #229944 as of the date set forth below its signature.

ERG Transit Systems (USA) Inc.

By: 

Its: General Manager

Date: 11/9/11

The Agencies

By: _____

Their: _____

On behalf of the Agencies

Date: _____

Central Puget Sound Regional Transit Authority

By: _____

Its: _____

Date: _____

City of Everett

By: _____

Its: _____

Date: _____

King County

By: _____

Its: _____

Date: _____

Kitsap County Public Transportation Benefit Area

By: _____

Its: _____

Date: _____

Pierce County Public Transportation Benefit Area

By: _____

Its: _____

Date: _____

Snohomish County Public Transportation Benefit Area

By: _____

Its: _____

Date: _____

Washington State Ferries, acting through the Washington State Department of Transportation Ferries Division ("Washington State Ferries")

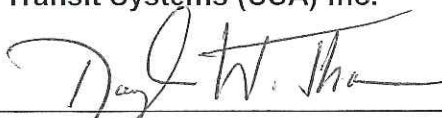
By: _____

Its: _____

Date: _____

IN WITNESS WHEREOF, the parties hereto have executed this Change Order No. TBD to Contract #229944 as of the date set forth below its signature.

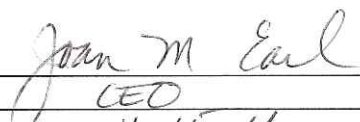
ERG Transit Systems (USA) Inc.

By: 
Its: General Manager
Date: 11/9/11

The Agencies

By: _____
Their: _____
On behalf of the Agencies
Date: _____

Central Puget Sound Regional Transit Authority

By: 
Its: CEO
Date: 11-15-11

City of Everett

By: _____
Its: _____
Date: _____

King County

By: _____
Its: _____
Date: _____

Kitsap County Public Transportation Benefit Area

By: _____
Its: _____
Date: _____

Pierce County Public Transportation Benefit Area

By: _____
Its: _____
Date: _____

Snohomish County Public Transportation Benefit Area

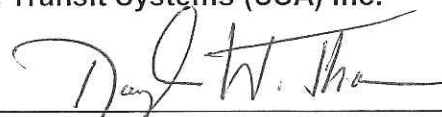
By: _____
Its: _____
Date: _____

Washington State Ferries, acting through the Washington State Department of Transportation Ferries Division ("Washington State Ferries")

By: _____
Its: _____
Date: _____

IN WITNESS WHEREOF, the parties hereto have executed this Change Order No. TBD to Contract #229944 as of the date set forth below its signature.

ERG Transit Systems (USA) Inc.

By: 
Its: General Manager
Date: 11/9/11

The Agencies

By: _____
Their: _____
On behalf of the Agencies
Date: _____


Central Puget Sound Regional Transit Authority

By: _____
Its: _____
Date: _____

City of Everett

By: _____
Its: _____
Date: _____

King County

By: 
Its: GM
Date: 4/17/11

Kitsap County Public Transportation Benefit Area

By: _____
Its: _____
Date: _____

Pierce County Public Transportation Benefit Area

By: _____
Its: _____
Date: _____

Snohomish County Public Transportation Benefit Area

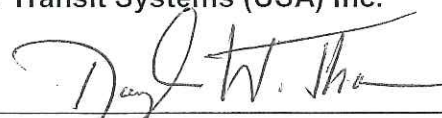
By: _____
Its: _____
Date: _____

Washington State Ferries, acting through the Washington State Department of Transportation Ferries Division ("Washington State Ferries")

By: _____
Its: _____
Date: _____

IN WITNESS WHEREOF, the parties hereto have executed this Change Order No. TBD to Contract #229944 as of the date set forth below its signature.

ERG Transit Systems (USA) Inc.

By: 
Its: General Manager
Date: 11/9/11

The Agencies

By: _____
Their: _____
On behalf of the Agencies
Date: _____

Central Puget Sound Regional Transit Authority

By: _____
Its: _____
Date: _____

City of Everett

By: _____
Its: _____
Date: _____

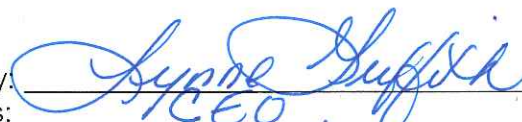
King County

By: _____
Its: _____
Date: _____

Kitsap County Public Transportation Benefit Area

By: _____
Its: _____
Date: _____

Pierce County Public Transportation Benefit Area

By: 
Its: CEO
Date: 11/17/11

Snohomish County Public Transportation Benefit Area

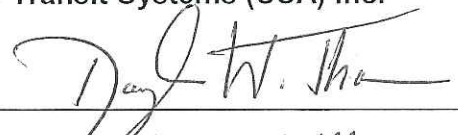
By: _____
Its: _____
Date: _____

Washington State Ferries, acting through the Washington State Department of Transportation Ferries Division ("Washington State Ferries")

By: _____
Its: _____
Date: _____

IN WITNESS WHEREOF, the parties hereto have executed this Change Order No. TBD to Contract #229944 as of the date set forth below its signature.

ERG Transit Systems (USA) Inc.

By: 
Its: General Manager
Date: 11/9/11

The Agencies

By: _____
Their: _____
On behalf of the Agencies
Date: _____

Central Puget Sound Regional Transit Authority

By: _____
Its: _____
Date: _____

City of Everett

By: _____
Its: _____
Date: _____

King County

By: _____
Its: _____
Date: _____

Kitsap County Public Transportation Benefit Area

By: _____
Its: _____
Date: _____

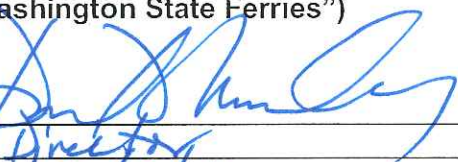
Pierce County Public Transportation Benefit Area

By: _____
Its: _____
Date: _____

Snohomish County Public Transportation Benefit Area

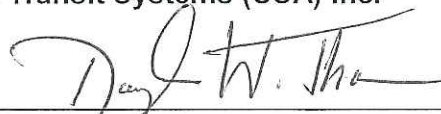
By: _____
Its: _____
Date: _____

Washington State Ferries, acting through the Washington State Department of Transportation Ferries Division ("Washington State Ferries")

By: 
Its: Director
Date: 12/6/11

IN WITNESS WHEREOF, the parties hereto have executed this Change Order No. TBD to Contract #229944 as of the date set forth below its signature.

ERG Transit Systems (USA) Inc.

By: 
Its: General Manager
Date: 11/9/11

The Agencies

By: _____
Their: _____
On behalf of the Agencies
Date: _____

Central Puget Sound Regional Transit Authority

By: _____
Its: _____
Date: _____

City of Everett

By: _____
Its: _____
Date: _____

King County

By: _____
Its: _____
Date: _____

Kitsap County Public Transportation Benefit Area

By: 
Its: Service Development Dir
Date: 11/14/2011

Pierce County Public Transportation Benefit Area

By: _____
Its: _____
Date: _____

Snohomish County Public Transportation Benefit Area

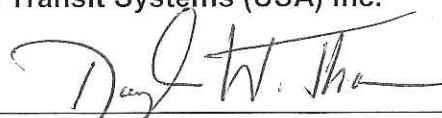
By: _____
Its: _____
Date: _____

Washington State Ferries, acting through the Washington State Department of Transportation Ferries Division ("Washington State Ferries")

By: _____
Its: _____
Date: _____

IN WITNESS WHEREOF, the parties hereto have executed this Change Order No. TBD to Contract #229944 as of the date set forth below its signature.

ERG Transit Systems (USA) Inc.

By: 
Its: General Manager
Date: 11/9/11

The Agencies

By: _____
Their: _____
On behalf of the Agencies
Date: _____

Central Puget Sound Regional Transit Authority

By: _____
Its: _____
Date: _____

City of Everett

By: _____
Its: _____
Date: _____

King County

By: _____
Its: _____
Date: _____

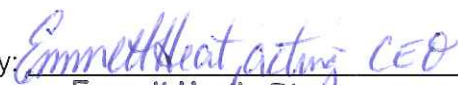
Kitsap County Public Transportation Benefit Area

By: _____
Its: _____
Date: _____

Pierce County Public Transportation Benefit Area

By: _____
Its: _____
Date: _____

Snohomish County Public Transportation Benefit Area

By: 
Its: Emmett Heath, Director of Administration
Date: 11-21-11

Washington State Ferries, acting through the Washington State Department of Transportation Ferries Division ("Washington State Ferries")

By: _____
Its: _____
Date: _____